

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DUKHAN IQRAA JIHAD MUMIN,

)

CASE NO. 8:12CV313

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Plaintiff,

)

v.

)

**MEMORANDUM
AND ORDER**

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MAYO, et al.,

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)

Defendants.

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This matter is before the court on Plaintiff's Status Report (Filing No. [23](#)) and Motion to Reconsider (Filing No. [24](#)). The court will address each filing below.

On March 26, 2013, this court stayed this matter until Plaintiff's state court criminal proceeding, *Nebraska v. Mumin*, Case No. CR11-954, and any appeal therefrom, was resolved. (Filing No. [22](#) at CM/ECF p. 7.) In doing so, the court directed Plaintiff to file a written status report no later than September 23, 2013, advising the court about the status of his state court criminal proceeding. (*Id.*) Plaintiff filed his Status Report on September 9, 2013. (Filing No. [23](#).)

In his Status Report, Plaintiff indicates that he has appealed his conviction. (*Id.*) However, Plaintiff's conviction does not appear to be final and remains on appeal. (*Id.*) This matter shall remain stayed and Plaintiff is directed to file a second written status report no later than March 17, 2014, advising the court about the status of his state court criminal proceeding. If Plaintiff's appeal is resolved before March 17, 2014, Plaintiff shall notify the court, in writing, whether he would like to reopen this matter within 30 days after the appeal is resolved. The court warns Plaintiff that if he fails to move to reopen this

matter, in accordance with this Memorandum and Order, the court may decline to reopen this matter and enter judgment against him for failing to follow this court's orders.

Plaintiff also asks the court to reconsider his Motion for Preliminary Injunction. (Filing No. [24](#).) The court has carefully reviewed Plaintiff's Motion and finds no good cause to reconsider his Motion for Preliminary Injunction.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion to Reconsider (Filing No. [24](#)) is denied;
2. Plaintiff is directed to file a second written status report no later than March 17, 2014, advising the court about the status of his state court criminal proceeding;
3. If Plaintiff's state-court appeal is resolved before March 17, 2014, Plaintiff shall notify the court, in writing, whether he would like to reopen this matter within 30 days after the appeal is resolved. The court warns Plaintiff that if he fails to move to reopen this matter, in accordance with this Memorandum and Order, the court may decline to reopen this matter and enter judgment against him for failing to follow this court's orders; and
4. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text: March 17, 2014: deadline for Plaintiff to file second written status report.

DATED this 18th day of October, 2013.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge

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